

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ANGELA M. ANDERSON
a.k.a. ANGELA MARIA NASH
a.k.a. ANGELA M. NASH
475 Lauren Lane
Chino Valley, AZ 86323

Registered Nurse License No. 375778

Respondent

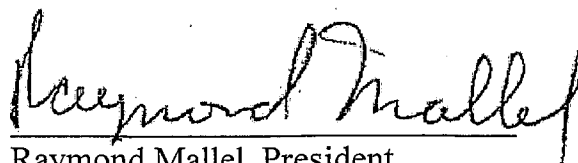
Case No. 2013-439

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on April 13, 2013.

IT IS SO ORDERED April 13, 2013.



Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

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Attorney General of California
2 LINDA K. SCHNEIDER
Supervising Deputy Attorney General
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9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-439

13 **ANGELA M. ANDERSON,**
14 **aka ANGELA MARIA NASH**
aka ANGELA M. NASH
15 **475 Lauren Lane**
Chino Valley, AZ 86323

STIPULATED SURRENDER OF
LICENSE AND ORDER

16 **Registered Nurse License No. 375778**

17 Respondent.

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
20 proceeding that the following matters are true:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
23 Registered Nursing. She brought this action solely in her official capacity and is represented in
24 this matter by Kamala D. Harris, Attorney General of the State of California, by Amanda Dodds,
25 Senior Legal Analyst.

26 2. Angela M. Anderson, also known as Angela Maria Nash, also known as Angela M.
27 Nash, is representing herself in this proceeding and has chosen not to exercise her right to be
28 represented by counsel.

3. On or about August 31, 1984, the Board of Registered Nursing issued Registered Nurse License No. 375778 to Angela M. Anderson, also known as Angela Maria Nash, also known as Angela M. Nash (Respondent). The Registered Nurse License expired on June 30, 2010, and has not been renewed.

JURISDICTION

4. Accusation No. 2013-439 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on December 3, 2012. Respondent filed a Notice of Defense contesting the Accusation. A copy of Accusation No. 2013-439 is attached as Exhibit A and incorporated by reference.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the licensee.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2013-439. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 **CULPABILITY**

2 9. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 2013-439, agrees that cause exists for discipline and hereby surrenders her Registered Nurse
4 License No. 375778 for the Board's formal acceptance.

5 10. Respondent understands that by signing this stipulation she enables the Board to issue
6 an order accepting the surrender of her Registered Nurse License without further process.

7 **CONTINGENCY**

8 11. This stipulation shall be subject to approval by the Board of Registered Nursing.
9 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
10 Registered Nursing may communicate directly with the Board regarding this stipulation and
11 surrender, without notice to or participation by Respondent. By signing the stipulation,
12 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
13 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
14 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be
15 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
16 between the parties, and the Board shall not be disqualified from further action by having
17 considered this matter.

18 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of
19 License and Order, including facsimile signatures thereto, shall have the same force and effect as
20 the originals.

21 13. This Stipulated Surrender of License and Order is intended by the parties to be an
22 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
23 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
24 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
25 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
26 executed by an authorized representative of each of the parties.

27 14. In consideration of the foregoing admissions and stipulations, the parties agree that
28 the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 375778, issued to Respondent Angela M. Anderson, also known as Angela Maria Nash, also known as Angela M. Nash, is surrendered and accepted by the Board of Registered Nursing.

1. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Registered Nursing.

2. Respondent shall lose all rights and privileges as a Registered Nurse in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2013-439 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. Should Respondent's license be reinstated, she shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$685.00. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 2013-439 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 1/10/12 Angela M Anderson
ANGELA M. ANDERSON
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 1/22/13 Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
LINDA K. SCHNEIDER
Supervising Deputy Attorney General
Amanda Dodds
AMANDA DODDS
Senior Legal Analyst
Attorneys for Complainant

SD2012704093

Exhibit A

Accusation No. 2013-439

1 KAMALA D. HARRIS
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2 LINDA K. SCHNEIDER
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3 State Bar No. 101336
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BOARD OF REGISTERED NURSING
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11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2013-439**

13 **ANGELA M. ANDERSON,**
14 **aka ANGELA MARIA NASH,**
aka ANGELA M. NASH
15 **21029 Cashew Street**
Wildomar, CA 92595

A C C U S A T I O N

16 **Registered Nurse License No. 375778**

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about August 31, 1984, the Board of Registered Nursing issued Registered
25 Nurse License Number 375778 to Angela M. Anderson, also known as Angela Maria Nash, also
26 known as Angela M. Nash (Respondent). The Registered Nurse License expired on June 30,
27 2010, and has not been renewed.

28 ///

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

5. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

....

COSTS

6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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CAUSE FOR DISCIPLINE

(Out-of-State Discipline of Respondent's Nursing License)

7. Respondent has subjected her license to disciplinary action under section 2761, subdivision (a)(4) of the Code in that her Arizona registered nurse license was voluntarily surrendered. The circumstances outlined in the Arizona Board's Findings of Fact are as follows:

8. On or about September 22, 2010, Respondent was issued a prescription for Zanaflex (generically known as tizanidine, a muscle relaxant), by a physician in Chino Valley, Arizona. The prescription was for 180 tablets; two 4 mg. tablets were to be taken by mouth every evening. Respondent altered the prescription to read 360 tablets. The pharmacy returned the prescription to the physician for clarification. The physician discharged Respondent from the practice and a complaint was filed with the Arizona State Board of Nursing (Arizona Board).

9. As a result of the complaint, the Arizona Board conducted an investigation. Respondent was asked to disclose her current prescriptions. Respondent failed to disclose that she was receiving prescriptions for MS Contin (morphine sulfate) and Norco (hydrocodone with acetaminophen) from a pain management provider which was revealed on Respondent's pharmacy profile. On or about March 20, 2012, Respondent requested to voluntarily surrender her Arizona nursing license.

10. In the Arizona Board's Conclusions of Law, they found that Respondent's conduct violated Arizona Revised Statutes (A.R.S.) § 32-1663(D), as defined in A.R.S. § 32-1601(18)(d) – any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public; A.R.S. § 32-1601(18)(h) – committing an act that deceives, defrauds or harms the public; A.R.S. § 32-1601(18)(j) – violating a rule that is adopted by the board pursuant to his chapter, specifically Arizona Administrative Code (A.A.C.) R4-19-403(8)(b) – falsifying or making a materially incorrect, inconsistent, or unintelligible entry in any record pertaining to obtaining, possession, or administering any controlled substance; A.A.C. R4-19-403(12) – assuming patient care responsibilities that the nurse lacks the education to perform, for which the nurse has failed to maintain nursing competencies, or that are outside the scope of practice of the nurse; A.A.C. R4-19-403(17) – a pattern of using or being under the influence of alcohol, drugs, or a similar

1 substance to the extent that judgment may be impaired and nursing practice detrimentally
2 affected, or while on duty in any health care facility, school, institution, or other work location;
3 A.A.C. R4-19-403(18) – obtaining, possession, administering, or using any narcotic, controlled
4 substance, or illegal drug in violation of any federal or state criminal law, or in violation of the
5 policy of any health care facility, school, institution, or other work location at which the nurse
6 practices. Respondent admitted the Board's Findings of Fact, and Conclusions of Law.

7 11. In lieu of a formal hearing, Respondent agreed to surrender her Arizona nursing
8 license. On or about April 17, 2012, Respondent entered into a Consent for Entry of Voluntary
9 Surrender, and the Arizona Board issued Order No. 1010010 accepting the voluntary surrender of
10 Respondent's nursing license. Respondent is prohibited from practicing in Arizona under the
11 privilege of a multistate license. She is eligible to petition for reissuance of her Arizona license
12 after three years.

13 **PRAYER**

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
15 and that following the hearing, the Board of Registered Nursing issue a decision:

- 16 1. Revoking or suspending Registered Nurse License Number 375778, issued to Angela
17 M. Anderson, also known as Angela Maria Nash, also known as Angela M. Nash;
18 2. Ordering Angela M. Anderson to pay the Board of Registered Nursing the reasonable
19 costs of the investigation and enforcement of this case, pursuant to Business and Professions
20 Code section 125.3;
21 3. Taking such other and further action as deemed necessary and proper.
22

23 DATED: December 3, 2012

24 *for* Stacie Ben
25 LOUISE R. BAILEY, M.ED., RN
26 Executive Officer
27 Board of Registered Nursing
28 Department of Consumer Affairs
State of California
Complainant

SD2012704093